

Appendix F.

Open Records Request

WESOLOWSKI, REIDENBACH & FLEMING, S.C.
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JESSE A. WESOLOWSKI
FREDERICK E. REIDENBACH 1919-2002
DAVID D. FLEMING

January 10, 2005

Stan Stojkovic, Ph.D.
University of Wisconsin – Milwaukee
2400 East Hartford Avenue
1095 Enderis Hall
Milwaukee WI 53211-3159
Fax # 414-229-5311

Helene Nelson, Secretary
Department of Health and Family Services
1 West Wilson Street
Madison, WI 53702
Fax # 608-240-3305

Matthew J. Frank, Secretary
Department of Corrections
3099 East Washington Avenue
Post Office Box 7925
Madison WI 53707-7925
Fax # 608-266-7882

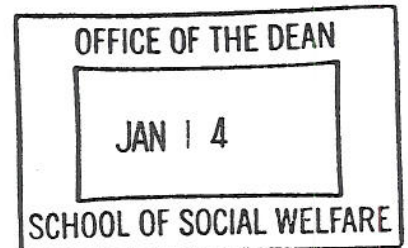
Sent via fax and duplicate originals by regular mail

Re: Open Records request of the Advisory Committee for the Siting of an SVP Transitional Facility in Milwaukee County

Dear Dr. Stojkovic, Secretary Nelson and Secretary Frank:

This letter is delivered to Dr. Stojkovic in his capacity as Chairperson of the Advisory Committee for the Siting of an SVP Transitional Facility in Milwaukee County (hereinafter Committee) or his designee and, in the event of an absence of a designated records custodian for the Committee under § 19.33, Wis. Stats., to Secretary Nelson of the Department of Health and Family Services (DHFS) or her designee and to Secretary Franks of the Department of Corrections (DOC) or his designee, pursuant to § 19.33(5), Wis. Stats. and 2003 Wis. Act 187, Section 7m(1m)(b). Request is hereby made, pursuant to §§ 19.31, *et seq.*, Wis. Stats. for:

1. A copy of any and all communications sent by the Committee, the DHFS and/or



the DOC to real property owners or their agents or designees in Milwaukee County for the purpose of obtaining real property in Milwaukee County for the purpose of locating a transitional facility for the housing of persons committed to the custody of the DHFS under chapter 980 of the statutes. This is specifically intended to include the letters to be sent by the Committee after its January 4, 2005 meeting.

2. Any record identifying, listing or otherwise describing the location or address of any real property located in Milwaukee County that the Committee is including on its agenda for the public hearing tentatively scheduled for January 25, 2005 at the State Fair Park for public comment on the location of a transitional facility for housing of persons committed to the custody of the DHFS under chapter 980 of the statutes – even if no communication has been sent to the owner of that property.

This request is for immediate release of the requested records.

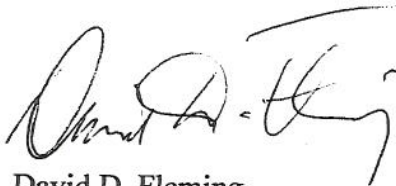
In responding to this request for records, you are requested to make available records produced or maintained by any other member of the Committee, the DHFS or the DOC on behalf of the Committee, even if those records are still physically in the possession of the other Committee member, the DHFS or the DOC.

If advance payment is required by the Committee, the DHFS and/or the DOC, or if a deposit is necessary to the extent that the actual costs exceed \$5.00, the undersigned should be contacted and a check will be delivered to your office to the attention, or the person that you designate, as soon as it conveniently may be. If you, or the person photocopying the requested records, will contact the undersigned when the requested records have been photocopied, arrangements will be made to pick them up.

If you decline to provide any of the requested records for any reason, please describe each record being withheld and please specify in writing the particular statutory sub-section upon which the Committee, the DHFS and /or the DOC is relying in withholding the record. If you claim that a part of the document is need not be produced, please produce the remaining part of the document.

If you have any questions or comments about these requests, kindly contact myself or Jesse A. Wesolowski at the phone number noted above soon as possible.

Sincerely,

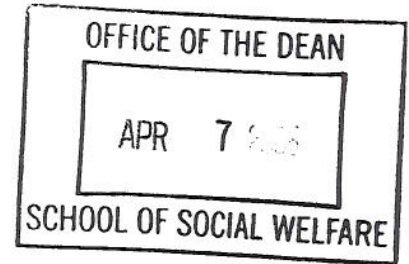
A handwritten signature in dark ink, appearing to read "David D. Fleming", with a stylized flourish at the end.

David D. Fleming

Cc: Ron Hermes, DHFS, via fax only

March 27, 2005

Ms. Helene Nelson, Secretary
Wisconsin Department of
Health & Family Services
1 W. Wilson Street
Madison, WI 53702



Cc: ✓ Dr. Stan Stojkovic, Chairperson, Site Selection Committee
Governor Jim Doyle
Peggy A. Lautenschlager, Wisconsin Attorney General
Scott Walker, Milwaukee County Executive
Mary Lazich, State Senator
Jeff Stone, State Representative

Re: Open Records Request

Dear Ms. Nelson:

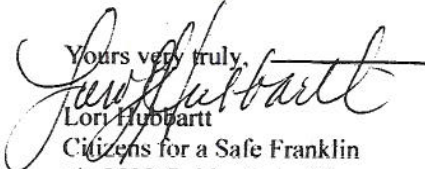
Pursuant to the Wisconsin Open Records Law, Wis. Stat. §§ 19.21—19.39, we request that the Wisconsin Department of Health & Family Services provide us with any and all records or other documents, as defined in Wis. Stat. § 19.32(2), in its possession or control that pertain to the specifics mentioned below.

- All minutes of any meetings conducted by the Sexually Violent Persons Transitional Facility Siting Advisory Committee, dated May, 2004 through April, 2005 (including electronic format, and handwritten notes);
- All correspondence between the Dept. of Health & Family Services, the Sexually Violent Persons Transitional Facility Siting Advisory Committee, Governor Doyle's Office, Milwaukee County Executive's offices, and Local Offices of City of Franklin, regarding the selection of a site(s);
- All requests for reimbursement of or for expenses of committee members (i.e. any meals, travel, mileage). Along with proof of payment and any supporting documents;
- List of any and all consultants contacted for assistance with site selection (i.e. realtors, DOT, DNR, local law enforcement, etc.);
- Any and all other documents relating to or in any way pertaining to the activities, deliberations, actions, or function of the Site Selection committee;
- All casted committee voting forms;
- All e-mails or any electronic data reflecting any of the above topic areas

We are willing to pay the statutory fees related to the gathering and copying of the requested information. If you anticipate that the agency will incur more than \$200 in statutory charges in responding to this request, please contact me at 414-425-5321, with an estimate of the cost.

If all or any part of this request is denied, please cite the specific exemption upon which you base your denial and inform us of the appeal procedures available to us under the law.

All requested copies may be sent to Citizens for a Safe Franklin, c/o 8509 Golden Lake Way, Franklin, WI 53132. We look forward to a response within ten (10) days of the date of this letter, and without delay, as required by Wis. Stat. § 19.35(4). Thank you for your assistance.

Yours very truly,

Lori Hubbard
Citizens for a Safe Franklin
c/o 8509 Golden Lake Way
Franklin, WI 53132

Cc: Shari Hanneman, Citizens for a Safe Franklin
Steve Mielke, Citizens for a Safe Franklin
Steve Olson, Alderman, 1st District, City of Franklin

petition: www.petitiononline.com/predator/petition.html